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CLERK U.S. DISTRICT COURT
DISTRICT OF MARYLAND
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IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MARYLAND

RAMIRO NORIEGA, #37245-037-A1C *
Petitioner

*

v. CIVIL ACTION NO. PJM-05-824

*

U.S. BUREAU OF PRISONS,
Respondent *

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MEMORANDUM OPINION

Petitioner is an inmate confined in Taft, California. He has filed correspondence with the Court which has been construed as a Petition for Writ of Habeas Corpus pursuant to 28 U.S.C. § 2241. Upon review of the Petition, the Court concludes that transfer of the Petition to the proper federal court located in California is appropriate.[1]

Petitioner alleges that the Federal Bureau of Prisons has improperly calculated his good time credits. Paper No. 1. Regarding the scope and nature of the instant proceeding, the undersigned notes that subject matter jurisdiction of a § 2241 habeas corpus petition lies in the federal district court where Petitioner is incarcerated or in the federal district court where the Petitioner's custodian is located. *Braden v. 30th Judicial Circuit Court of Kentucky*, 410 U.S. 484, 488-89 (1973). Petitioner is confined in Taft, California, and his custodian, or the person who has the day-to-day responsibility for his custody, would be the warden at the Taft Correctional Institution. Therefore, this Court finds that jurisdiction of the instant action lies in California, not in Maryland.

[1]Petitioner has not submitted with his petition a request to proceed in forma pauperis. Matters pertaining to such status shall be reserved and left to the discretion of the United States District Court for the Eastern District of California.

SCANNED

Accordingly, the undersigned concludes that transfer of instant case to the United States District Court for the Eastern District of California is appropriate.

A separate Order follows.

4/15/05
Date

PETER J. MESSITTE
UNITED STATES DISTRICT JUDGE